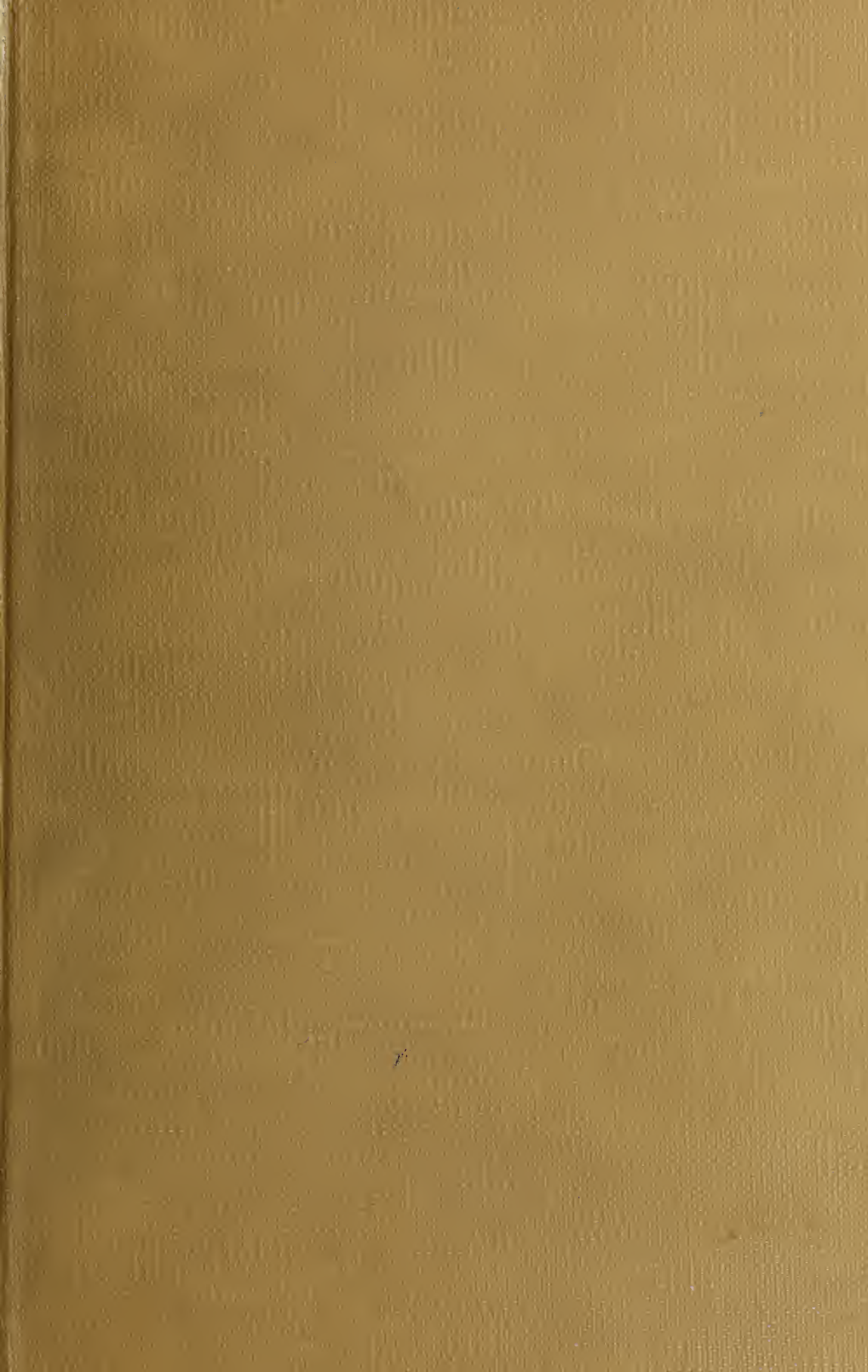






ACTS OF THE PARLIAMENT OF CANADA

PASSED IN THE SESSION HELD IN THE

NINTH AND TENTH YEARS OF THE REIGN OF HER MAJESTY

QUEEN ELIZABETH II

BEING THE

FOURTH SESSION OF THE TWENTY-FOURTH PARLIAMENT

Begun and holden at Ottawa, on the Seventeenth day of November, 1960,
and prorogued on the Twenty-ninth day of September, 1961.

HIS EXCELLENCY MAJOR-GENERAL

GEORGES PHILIAS VANIER

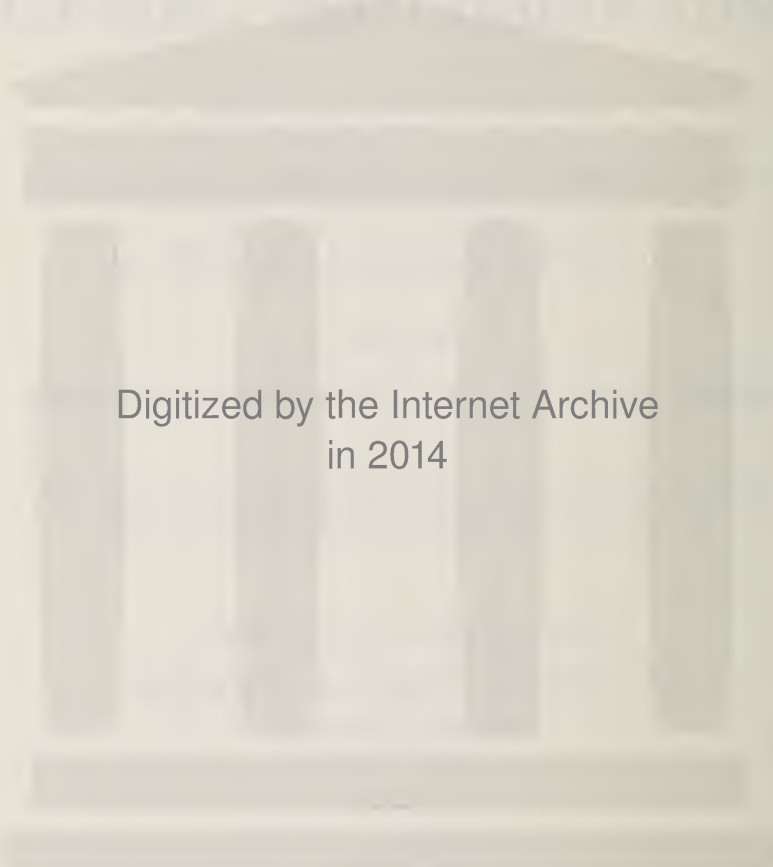
GOVERNOR GENERAL

PART II

LOCAL AND PRIVATE ACTS, NOT INCLUDING
DIVORCE ACTS

An index to Divorce Acts may be found at back of this volume.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1961



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9-10 ELIZABETH II.

CHAP. 65

An Act respecting the construction of a bridge over the St. Lawrence River near the city of Trois-Rivières.

[Assented to 22nd June, 1961.]

WHEREAS it has been and still is in the interest of the cities, towns, villages and parishes situated in the electoral districts of Trois-Rivières, Maskinongé, Champlain, Saint-Maurice-Lafleche, Nicolet, Lotbinière and Drummond-Arthabaska, and of the whole province of Quebec, to construct a bridge connecting both shores of the St. Lawrence River in the vicinity of the city of Trois-Rivières; Preamble.

And whereas to assure the construction, maintenance and operation of such bridge a corporation composed of six members and named La Corporation du Pont de Trois-Rivières, having the powers necessary for those purposes, has been created by a Special Act of the Legislature of the province of Quebec, assented to the 2nd February, 1956, a copy of which is set forth in the Schedule to this Act;

And whereas an Act of the Parliament of Canada, hereinafter called "the original Act", authorizing the construction and maintenance of the said bridge and approving the site thereof, was assented to the 7th of June, 1956; 1956, c. 71.

And whereas the original Act provided, in section 3 thereof, that the powers granted for the construction of the said bridge would cease and be null and void if approval of the plans therefor was not obtained from the Governor in Council within three years after the commencement of the said Act, which approval, in fact, has not yet been obtained;

And whereas another Act of the Parliament of Canada is necessary providing again, in the same form and terms, for the powers granted by the original Act: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Construction
of bridge
authorized.

1. Subject to the provisions of this Act, La Corporation du Pont de Trois-Rivières is authorized to construct, maintain and operate a bridge and its approaches, for the passage of pedestrians, vehicles, carriages and other like purposes, connecting the north and south shores of the St. Lawrence River approximately one mile upstream from the western limits of the city of Trois-Rivières, in the province of Quebec.

Submission
of plans for
approval.

2. The said bridge shall be constructed and located under, and be subject to, such regulations for the security of navigation of the said river as the Governor in Council prescribes and to such end La Corporation du Pont de Trois-Rivières shall submit to the Governor in Council, for examination and approval a design and drawing of the bridge and a map of the location, giving the soundings accurately, showing the bed of the stream and the location of other bridges, and shall furnish such other information as is required for a full and satisfactory understanding of the subject, and until the said plans and location are approved by the Governor in Council the said bridge shall not be built or commenced; and if any change is made in the plans of the said bridge during its construction, such change shall be subject to the approval of the Governor in Council and shall not be made or commenced until it is so approved.

Time for
commence-
ment and
completion
of bridge.

3. The construction of the said bridge shall be commenced within three years after the plans therefor have been approved by the Governor in Council and shall be completed within four years after such commencement, otherwise the powers granted by this Act shall cease and be null and void as respects so much of the undertaking as then remains uncompleted: Provided, however, that if such approval is not obtained within three years after the passing of this Act, the powers granted for the construction of the said bridge shall cease and be null and void.

Proviso.

SCHEDULE.

An Act respecting the construction of a bridge over the St. Lawrence river, near the city of Trois-Rivières.

(Assented to 2nd February, 1956.)

WHEREAS it is in the interest of the cities, towns, villages and parishes situated in the electoral districts of Three Rivers, Maskinonge, Champlain, Saint-Maurice, Laviolette, Nicolet, Lotbinière, Drummond and Arthabaska, and of the whole province, to construct a bridge connecting both sides of the St. Lawrence River in the neighbourhood of the city of Trois-Rivières;

Whereas, to build such bridge it is necessary to create a corporation with the powers requisite for that purpose;

Whereas, in order to repay the cost of construction and ensure the operation and maintenance, of such bridge it will have to be subject to tolls;

Therefore, Her Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. For the purposes of this act, the word "corporation" shall designate the corporation constituted by the present act.

2. A corporation without share-capital and for no pecuniary gain is hereby instituted under the name of "Corporation du Pont de Trois-Rivières", for the purposes hereinafter mentioned.

3. Such corporation shall be composed of six members, namely, John F. Wickenden, professional engineer, J. Henri René de Cotret, chartered accountant, Frank Spenard, broker, Maurice Langlois, professional engineer, and Francois Nobert, advocate, all five of Trois-Rivières, and one member to be appointed by the Municipal Council of the City of Trois-Rivières, such appointment to be made during the month following the coming into force of this act.

4. The corporation shall elect a president and a secretary from among its members. It shall also elect a treasurer from among its members or otherwise.

5. The affairs of the corporation shall be managed by its members; four of them shall form a quorum.

6. Any vacancy or vacancies among the members of the corporation, occasioned by death, sickness, lack of appointment or other cause, shall in no way affect the rights and powers of the corporation acting by its other members.

7. The appointive member shall be appointed for a term of three years, and shall be re-eligible.

8. Vacancy among the appointive members shall be filled by the authority that appointed the member to be replaced, and vacancies among the five other members shall be filled by majority decision of the corporation.

9. In case of an equality of votes, the president shall have a casting vote.

10. The remuneration, if any, of the president, secretary, treasurer and members shall be fixed by the corporation, subject to the approval of the municipal council of the city of Trois-Rivières.

11. The corporation may adopt and amend, from time to time, by-laws not inconsistent with this act for its government and the conduct of its affairs; such by-laws shall come into force only after their publication in the *Quebec Official Gazette*.

12. The corporation may engage such employees as it deems needful, fix their remuneration and determine their duties.

13. The purpose of the corporation shall be to build, maintain and operate a bridge connecting the north and south shores of the St. Lawrence river about one mile above the western limits of the city of Trois-Rivières, as well as the approaches giving access from the said bridge to the public road.

14. Without limiting the generality of the powers granted thereto by this act, the corporation may:

- (a) have a seal;
- (b) appear before the courts and enter into contracts;
- (c) acquire, possess, administer, exploit and alienate such property as it deems useful for its purposes and make contracts for such purposes;
- (d) borrow the moneys which it deems necessary for the attainment of the objects for which it is formed;
- (e) issue debentures or other securities of the corporation at such times, in such forms, for such sums, in such denominations, bearing such dates, maturing at such dates, bearing such rates of interest, redeemable before maturing at such prices, profiting by such amortization funds, payable at such places in Canadian money or in other currency, containing such other terms, conditions and other characteristics, the whole as the corporation may determine, and sell such debentures or other securities or dispose thereof at such prices, at par, at a premium or discount, and on such conditions as the corporation shall decide;
- (f) notwithstanding the provisions of the Civil Code, mortgage, hypothecate or pledge the moveable or immoveable property, present or future, including the revenues of the corporation, to secure the payment of such debentures or other securities,

or give a part only of such guarantees for the same purposes; and constitute the mortgage, hypothecation or pledge above mentioned by trust deed, in accordance with sections 23 and 24 of the *Special Corporate Powers Act* (chapter 280), or in any other way;

- (g) hypothecate or pledge the immoveables, or pledge or otherwise encumber in any manner the moveable property of the corporation, or give such various kinds of guarantees, to ensure the payment of borrowings made otherwise than by the issue of debentures, as well as the payment or performance of the other debts, contracts and liabilities of the corporation;
- (h) give receipts for any money payable to the corporation and for any claim of the same;
- (i) draw, make, accept, endorse, discount, subscribe and issue bills of exchange, bills of lading and other negotiable instruments;
- (j) delegate to one or more of its members or to one of the members jointly with one or more other persons, the authority to sign, for and on behalf of the corporation, bills of exchange, receipts, discharges, endorsements, cheques, bonds, title-deeds, contracts and all other documents;
- (k) generally, do all acts and things necessary or useful for the exercise of its powers and the attainment of its objects.

15. The plans and specifications of the said bridge and its approaches must be submitted for approval to the municipal corporations where shall be situated the bridge and its approaches.

16. The corporation may acquire, by agreement or by expropriation, all immoveables and real or other rights of which it anticipates to be in need for the construction and operation of the said bridge and its approaches.

The proceedings in expropriation shall be those enacted in articles 1066a and following of the Code of Civil Procedure and the carrying out of the right of expropriation must be submitted for previous approval to the Lieutenant-Governor in Council.

17. Subject to the approval of the Provincial Transportation Board, the corporation may establish, revise, impose and collect tolls, charges and rents and also enter into contracts for the use of the bridge and of its services and facilities, so that the operating revenues may always be sufficient to cover the maintenance and operation costs, including depreciation, of the bridge and its approaches, and also to provide for the reimbursement of the capital, the premium if any, and the interest on the securities issued by the corporation as well as on other loans, and to create reserves for such purposes.

18. The municipal and school corporations within which territory are situated the property of the corporation are authorized to grant by mere resolution with respect to such property an exemption or commutation of municipal and school taxes for a period of ten years taking effect from the day when the property shall be assessed and taxed.

19. The corporation must submit annually a complete and detailed financial statement of its operations to the Provincial Transportation Board.

20. The corporation shall acquire from the corporation of the city of Trois-Rivières, which shall sell, provided it be authorized for such purposes by the electors who are property owners of Trois-Rivières according to law, all the moveables and immoveables of the ferry service between the city of Trois-Rivières and the south shore of the St. Lawrence river, including, but not restrictively, the ferry-boats, the rights of the wharfs and lands, the buildings, and generally everything used in the operating and maintaining of the said ferry; the price to be paid to the corporation of the city of Trois-Rivières, if the parties fail to agree, shall be determined by the Public Service Board of the Province of Quebec; the cost of such purchase shall be deemed as forming part of the cost of the bridge.

21. All powers granted by sections 13, 15, 16, 17, 18 and 22 of this act shall be subject to the acquisition by the corporation and according to law of the said ferry-service between the city of Trois-Rivières and south shore.

22. During a period of eight years as from the sanction of this act and afterwards during the whole period of the utilization of the proposed bridge, no other person shall construct or operate a bridge, tunnel or ferry service over or under the St. Lawrence river between the north shore and the south shore and this, within a radius of twenty-five miles above and twenty-five miles below the site of the said bridge, subject however, to the rights of the corporation of the city of Trois-Rivières in the ferry service operated by it.

23. This act shall come into force on the day of its sanction.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1961

9 - 10 ELIZABETH II.

CHAP. 66

An Act to incorporate The Acadia Life Insurance Company.

[Assented to 13th July, 1961.]

WHEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. Ralph Mackern Sketch, company director, Gordon Foxbar Perry, company director, Stewart Gordon Bennett, company director, all of the city of Toronto, in the province of Ontario, Robert Patterson Jellett, company director, of the city of Montreal, in the province of Quebec, Frank Manning Covert, one of Her Majesty's counsel, and Harold Palmatary Connor, company director, both of the city of Halifax, in the province of Nova Scotia, together with such other persons as may become shareholders of the company, are hereby incorporated under the name of The Acadia Life Insurance Company, and, in French, L'Acadie, Compagnie d'Assurance-Vie, hereinafter called "the Company". Incorporation.

Corporate name.

2. The persons named in section 1 shall be the provisional directors of the Company. Provisional directors.

3. The capital stock of the Company shall be one million dollars divided into shares of one hundred dollars each. Capital stock.

4. The Company shall not commence any business of insurance until at least five hundred thousand dollars of its capital stock has been bona fide subscribed and at least that amount paid thereon, together with a contribution to surplus of five hundred thousand dollars. Subscription and payment of capital before commencing business.

Head office. **5.** The head office of the Company shall be in the city of Toronto, in the province of Ontario.

Powers. **6.** The Company may undertake, transact and make contracts of insurance in any one or more of the following classes of insurance:

- (a) life insurance;
- (b) personal accident insurance;
- (c) sickness insurance.

R.S., c. 31;
1956, c. 28;
1957-58, c. 11;
1960-61, c. 13.

7. The *Canadian and British Insurance Companies Act* shall apply to the Company.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1961

9 - 10 ELIZABETH II.

CHAP. 67

An Act respecting Canadian General Insurance Company.

[Assented to 29th March, 1961.]

WHEREAS Canadian General Insurance Company, hereinafter called "the Company", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition. Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1907, c. 87;
1922, c. 68;
1924, c. 86

1. The Company may use, in the transaction of its business, either the name Canadian General Insurance Company or the name Compagnie d'Assurance Canadienne Générale, in either of which names it may sue or be sued, and any transaction, contract or obligation heretofore or hereafter entered into or incurred by the Company in either of the said names shall be valid and binding on the Company.

Name in
French.

2. Nothing contained in section 1 of this Act shall in any way impair, alter or affect the rights or liabilities of the Company, except as therein expressly provided, nor in any way affect any suit or proceeding now pending or judgment existing, either by or in favour of or against the Company, which, notwithstanding the provisions of section 1 of the Act, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Existing
rights saved.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1961

9 - 10 ELIZABETH II.

CHAP. 68

An Act to incorporate Canadian Pioneer Insurance Company.

[Assented to 29th March, 1961.]

WHEREAS the persons hereinafter named have by their Preamble
petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Charles Gordon Angas, manager, of the town of Mount Royal, Brian Heward, stock broker, of the city of Westmount, both in the province of Quebec, and John A. Boyd, barrister-at-law, of the city of Toronto, in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of Canadian Pioneer Insurance Company, and in French, La Compagnie d'Assurance Pionnier Canadien, hereinafter called "the Company". Incorporation

Corporate name

2. The persons named in section 1 shall be the provisional directors of the Company. Provisional directors.

3. The capital stock of the Company shall be two million dollars divided into shares of one hundred dollars each. Capital stock.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be six hundred and twenty thousand dollars. Subscription before general meeting.

5. The head office of the Company shall be in the city of Montreal, in the province of Quebec. Head office

Classes of
insurance
authorized.

6. The Company may undertake, transact and make contracts of insurance in any one or more of the following classes of insurance:

- (a) fire insurance;
- (b) accident insurance;
- (c) aircraft insurance;
- (d) automobile insurance;
- (e) boiler insurance;
- (f) credit insurance;
- (g) earthquake insurance;
- (h) explosion insurance;
- (i) falling aircraft insurance;
- (j) forgery insurance;
- (k) guarantee insurance;
- (l) hail insurance;
- (m) impact by vehicles insurance;
- (n) inland transportation insurance;
- (o) live stock insurance;
- (p) machinery insurance;
- (q) marine insurance;
- (r) personal property insurance;
- (s) plate glass insurance;
- (t) real property insurance;
- (u) sickness insurance;
- (v) sprinkler leakage insurance;
- (w) theft insurance;
- (x) water damage insurance;
- (y) weather insurance;
- (z) windstorm insurance.

Subscription
and payment
of capital
before
commencing
business.

7. (1) The Company shall not commence any business of insurance until at least six hundred and twenty thousand dollars of its capital has been bona fide subscribed and at least that amount paid thereon. It may then transact the business of fire insurance, accident insurance, automobile insurance, boiler (excluding machinery) insurance, explosion insurance, guarantee insurance, inland transportation insurance, personal property insurance, plate glass insurance, real property insurance, theft insurance, and in addition thereto, earthquake insurance, falling aircraft insurance, hail insurance, impact by vehicles insurance, sprinkler leakage insurance, water damage insurance, weather insurance and windstorm insurance, limited to the insurance of the same property as is insured under a policy of fire insurance of the Company.

Additional
amounts for
certain
classes of
business.

(2) The Company shall not commence business in any of the other classes of insurance authorized by section 6 of this Act until the paid capital, or the paid capital together with the surplus, has been increased by an amount or amounts depending upon the nature of the additional class

or classes of business, as follows, that is to say:—for aircraft insurance, the said increase shall not be less than forty thousand dollars; for credit insurance, not less than forty thousand dollars; for earthquake insurance, not less than ten thousand dollars; for falling aircraft insurance, not less than ten thousand dollars; for forgery insurance, not less than forty thousand dollars; for hail insurance, not less than fifty thousand dollars; for impact by vehicles insurance, not less than ten thousand dollars; for live stock insurance, not less than forty thousand dollars; for machinery insurance, not less than forty thousand dollars; for marine insurance, not less than one hundred thousand dollars; for sickness insurance, not less than twenty thousand dollars; for sprinkler leakage insurance, not less than ten thousand dollars; for water damage insurance, not less than twenty thousand dollars; for weather insurance, not less than twenty thousand dollars; and for windstorm insurance, not less than fifty thousand dollars.

(3) The Company shall, during the five years next after the date of its being registered for the transaction of fire insurance, increase its paid capital and surplus so that at the end of the first year it will be at least fifteen thousand dollars more than is required under the foregoing subsections of this section, and at the end of the second year at least thirty thousand dollars more than so required, and at the end of the third year at least forty-five thousand dollars more than so required, and at the end of the fourth year at least sixty thousand dollars more than so required, and at the end of the fifth year at least seventy-five thousand dollars more than so required.

Periodic increase of paid capital and surplus.

(4) Notwithstanding anything to the contrary contained in this section, the Company may transact business in any one or more of the classes of insurance authorized by section 6 of this Act when the paid capital amounts to at least five hundred thousand dollars and the paid capital together with the surplus amounts to at least one million dollars.

When Company may transact any or all classes of insurance business

(5) In this section the word “surplus” means the excess of assets over liabilities, including in the liabilities the amount paid on account of capital stock and the reserve of unearned premiums calculated *pro rata* for the unexpired term of all policies of the Company in force.

“Surplus” defined.

S. The *Canadian and British Insurance Companies Act* shall apply to the Company.

R.S. c. 31;
1956, c. 28;
1957-58, c. 11.

9 - 10 ELIZABETH II.

CHAP. 69

An Act respecting Co-operative Life Insurance Company

[Assented to 1st June, 1961.]

WHEREAS Co-operative Life Insurance Company, hereinafter called "the Company", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition. Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1946, c. 80.

1. Section 4 of chapter 80 of the statutes of 1946 is repealed and the following substituted therefor:

"4. (1) Every policyholder shall be a member of the Company and if all due premiums are paid shall be entitled to vote in the affairs of the Company: Provided that every employee or agent of the Company who so qualifies as a member shall be entitled to vote in his own right, but shall not be entitled to vote as proxy for another member.

Voting.

(2) In this section "employee" means any person on the payroll of the Company, other than a director of the Company."

"Employee"
defined.

2. The said chapter 80 is further amended by adding thereto, immediately after section 4 thereof, the following section:

"4A. (1) Each director shall be elected from a designated region in Canada and, to remain qualified, shall during office be ordinarily resident in such region: Provided that at least one director shall be elected from each designated region and that a director shall not be disqualified under this section while he is removed from such region in the service of the Company.

Residence
qualification
of directors.

(2) For the purposes of this section, a designated region and its boundaries shall be as defined by by-law."

"Designated
region"
defined.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1961

9-10 ELIZABETH II.

CHAP. 70

An Act to incorporate The Equitable General Insurance Company.

[Assented to 29th September, 1961.]

WHEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. Georges de Léry Demers, one of Her Majesty's Counsel, of the city of Sillery, Gilles de Billy, one of Her Majesty's Counsel, of the city of Quebec, and Dominique Charbonneau, managing director, of the city of Montreal, all in the province of Quebec, together with such persons as become shareholders in the company or as become policyholders on the mutual system of the company, are incorporated under the name of The Equitable General Insurance Company, and, in French, L'Equitable, Compagnie d'Assurances Générales, hereinafter called "the Company", and either the English or the French name of the Company may be used in carrying on the business or operations of the Company. Incorporation.
Corporate name.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company. Provisional directors.

3. The head office of the Company shall be in the city of Montreal, in the province of Quebec. Head office.

4. The capital stock of the Company shall be one million dollars divided into shares of ten dollars each. Capital stock.

Subscription
before
general
meeting

5. The amount to be subscribed before the general meeting for the election of directors is called shall be two hundred thousand dollars.

Classes of
insurance
authorized

6. The Company may undertake, transact and make contracts of insurance upon either the cash premium system or the mutual system in any one or more of the following classes of insurance:

- (a) fire insurance;
- (b) accident insurance;
- (c) aircraft insurance;
- (d) automobile insurance;
- (e) boiler insurance;
- (f) credit insurance;
- (g) earthquake insurance;
- (h) explosion insurance;
- (i) falling aircraft insurance;
- (j) forgery insurance;
- (k) guarantee insurance;
- (l) hail insurance;
- (m) impact by vehicles insurance;
- (n) inland transportation insurance;
- (o) live stock insurance;
- (p) machinery insurance;
- (q) marine insurance;
- (r) personal property insurance;
- (s) plate glass insurance;
- (t) real property insurance;
- (u) sickness insurance;
- (v) sprinkler leakage insurance;
- (w) theft insurance;
- (x) water damage insurance;
- (y) weather insurance;
- (z) windstorm insurance.

Subscription
and payment
of capital
before
commencing
business.

7. (1) The Company shall not commence any business of insurance until at least three hundred thousand dollars of its capital stock has been bona fide subscribed and at least two hundred thousand dollars paid thereon. It may then transact the business of fire insurance and, in addition thereto, civil commotion insurance, earthquake insurance, limited or inherent explosion insurance, falling aircraft insurance, impact by vehicles insurance, hail insurance, sprinkler leakage insurance, weather insurance, water damage insurance and windstorm insurance, limited to the insurance of the same property as is insured against the risk of fire under a policy of the Company.

(2) The Company shall not commence business in any of the other classes of insurance authorized by section 6 of this Act until the paid capital, or the paid capital together with the surplus, exceeds two hundred thousand dollars by an amount or amounts depending upon the nature of the additional class or classes of business as follows, that is to say:—for accident insurance, the said excess shall not be less than eighty thousand dollars; for aircraft insurance, not less than forty thousand dollars; for automobile insurance, not less than forty thousand dollars; for boiler insurance, not less than forty thousand dollars; for credit insurance, not less than forty thousand dollars; for earthquake insurance, not less than ten thousand dollars; for explosion insurance, not less than forty thousand dollars; for falling aircraft insurance, not less than ten thousand dollars; for forgery insurance, not less than forty thousand dollars; for guarantee insurance, not less than one hundred thousand dollars; for hail insurance, not less than fifty thousand dollars; for impact by vehicles insurance, not less than ten thousand dollars; for inland transportation insurance, not less than twenty thousand dollars; for live stock insurance, not less than forty thousand dollars; for machinery insurance, not less than forty thousand dollars; for marine insurance, not less than one hundred thousand dollars; for personal property insurance, not less than twenty thousand dollars; for plate glass insurance, not less than twenty thousand dollars; for real property insurance, not less than twenty thousand dollars; for sickness insurance, not less than twenty thousand dollars; for sprinkler leakage insurance, not less than ten thousand dollars; for theft insurance, not less than forty thousand dollars; for water damage insurance, not less than twenty thousand dollars; for weather insurance, not less than twenty thousand dollars; and for windstorm insurance, not less than fifty thousand dollars.

Additional amounts for certain classes of business.

(3) Notwithstanding anything to the contrary contained in this section, the Company may transact business in any one or more of the classes of insurance authorized by section 6 of this Act when the paid capital amounts to at least five hundred thousand dollars and the paid capital together with the surplus amounts to at least one million dollars.

When Company may transact any or all classes of insurance business.

(4) In this section, the word "surplus" means the excess of assets over liabilities, including in the liabilities the amount paid on account of capital stock and the reserve of unearned premiums calculated *pro rata* for the unexpired term of all policies of the Company in force.

"Surplus" defined.

8. (1) Every policyholder on the mutual system shall be a member of the Company during the period specified in his policy and shall, during such period, be subject to the

Position of policyholders.

provisions of this Act and the by-laws of the Company, but he may without the consent of the Company withdraw therefrom upon the terms and conditions hereinafter specified.

(2) Every such policyholder shall, before he receives his policy, deposit his note or undertaking, hereinafter called a "deposit note", payable on demand to the Company only, endorsed to the satisfaction of the directors, and for a sum of money proportioned according to the classification of risks established by the directors.

Voting at
meetings.

9. At all meetings of the Company, each policyholder on the mutual system who is not in default in respect of any assessment on his deposit note shall be entitled to one vote for each one thousand dollars of insurance on the mutual system held by him.

Notice of
meeting.

10. (1) Notice of every annual or special general meeting of the Company shall be sent by post to every policyholder on the mutual system and shall be published in two or more daily newspapers published at or near the place where the head office is located at least fifteen days prior to the day of the meeting.

(2) The directors shall at least seven days prior to the date of the annual meeting send to every policyholder on the mutual system by post the annual statement for the year ending on the last previous thirty-first day of December, which statement shall be certified by the auditors of the Company.

Election of
directors.

11. (1) There shall be elected at the first annual meeting a board of not less than nine nor more than twenty-one directors, who shall hold office for one year but shall be eligible for re-election.

(2) The Company shall, by by-law passed not less than three months prior to the holding of its second annual meeting after the passing of this Act, determine the number of directors to be elected at that and at subsequent annual meetings until otherwise changed by by-law.

(3) At any annual meeting after the second the Company may by by-law change, or authorize the board of directors to change from time to time, the number of directors, but the board shall at all times consist of not less than nine nor more than twenty-one directors, and in the event of any increase in the number of directors having been made by the directors, the vacancy or vacancies in the board thereby created may be filled by the directors from among the qualified shareholders or policyholders, as the case may be, to hold office until the next annual meeting.

(4) The Company may by by-law provide that all of the directors shall be elected for one, two or three years, and if the by-law provides for a term of two or of three years, it may also provide that the term of office of each director shall be for the whole of that term, or that, as nearly as may be, one-half the directors shall retire each year if the term is two years, and, as nearly as may be, one-third of the directors shall retire each year if the term is three years; but a director who has completed his term of office shall be eligible for re-election.

Term of
office.

12. The Company shall provide by by-law for the election of a majority of the board of directors by the shareholders and of the balance of the board by the policyholders on the mutual system: Provided that the directors elected by the policyholders on the mutual system shall form not less than one-third of the board. Any policyholder on the mutual system who is not a shareholder and who holds a policy or policies on the mutual system to the amount of at least one thousand dollars shall be eligible as a policyholders' director, but he shall cease to be such director if the amount of his insurance as aforesaid becomes reduced below the sum of one thousand dollars.

Two classes
of directors.

Proviso.

13. (1) A cash payment on account of the deposit note in such amount as the directors may determine by their by-laws may be demanded and received from the policyholder on the mutual system before he obtains his policy and the remainder shall be payable wholly or in part at any time when the directors deem the same to be necessary for the payment of the losses or expenses of the Company.

Payments on
account of
deposit
notes.

(2) The directors shall by by-law establish an entrance fee payable before any policy on the mutual system is issued. Such entrance fee shall not exceed ten per centum of the total amount of the deposit note and when paid shall be deemed to be a payment on the deposit note and to have been fully earned at the date of payment.

(3) Every policyholder on the mutual system shall pay his proportion of all losses and expenses incurred, and the deposit notes belonging to the Company shall be assessed under the direction of the board of directors at such intervals from their respective dates and for such sums as the directors determine, and for such further sums as they may think necessary to meet the losses and other expenditure incurred during the currency of the policies for which the said notes were given, and in respect of which they are liable to assessment. Every policyholder on the mutual system shall pay such sums, during the continuance of the policy, in accordance with such assessment.

(4) The directors of the Company may determine each year, in advance, the amount of the assessment on the deposit notes required to be made to meet the estimated annual losses and expenses for the year, and for a reserve fund as hereinafter provided.

(5) The directors may, in fixing the assessments, provide for the creation and maintenance of a reserve fund, to remain in the possession of the Company after the payment of its ordinary expenses and losses, but the yearly assessment for such fund shall not at any time exceed ten per centum of the amount of the deposit notes.

(6) Notice of the total amount of assessments on deposit notes to be paid in any year shall be given, in the form provided by the by-laws of the Company, by a circular mailed by post to each member.

Cancellation
of policies
issued on
mutual
system.

14. (1) Any policy issued on the mutual system may be cancelled by the holder thereof by giving written notice to that effect by mail to the Company, and on such cancellation the policyholder shall cease to be a member of the Company, but on such cancellation or if the Company cancels any such policy in accordance with the conditions thereof, the policyholder shall nevertheless be liable to pay his proportion of losses and expenses to the Company up to the time of such cancellation and on so doing he shall be entitled to a return of his deposit note and the deposit note shall thereupon be null and void.

(2) Should a loss occur on the property insured by a policy on the mutual system, the board of directors may retain, by deduction from the amount of the loss, the unpaid amount of the deposit note given for the insurance of such property, until the expiration of the term for which the insurance was contracted and at the expiration of such term the insured may withdraw such part of the amount retained as has not been assessed.

(3) When a policy on the mutual system expires or is cancelled and the assessments or contribution to the date of expiration or cancellation are paid, the deposit note is null and void, and shall be delivered to the signer thereof on demand.

Recovery of
unpaid
assessments
on deposit
notes.

15. (1) The Company may sue for and recover, with costs, the assessments on the deposit notes of the policyholders who have refused or neglected to pay to the Company the sum of money which the directors have declared to be payable on such deposit notes, but no action or proceeding shall be commenced against any policyholder for the recovery of any assessment within the thirty days following the date when such assessment becomes due.

(2) In all suits for the recovery of assessments, the certificate of the secretary-treasurer of the Company shall be *prima facie* evidence that the same are due and that all formalities have been complied with.

16. If the assessment on the deposit note upon any policy be not paid within thirty days after the day on which the said assessment shall become due the policy of insurance for which the said assessment shall have been made shall be null and void as respects all claims for losses occurring during the time of such non-payment: Provided, always, that the said policy shall be reinstated when such assessment shall have been paid, unless the secretary gives notice to the contrary to the assessed party, but nothing herein contained shall relieve the policyholder from his liability to pay such assessment or any subsequent assessments.

Effect of non-payment of assessments.

Proviso.

17. All the assets of the Company, including the deposit notes given by policyholders on the mutual system, shall be liable for losses occurring on all the policies of the Company, whether on the cash premium or on the mutual system.

Liability of assets.

18. In the event of the winding-up of the Company, if the assets on hand at the date of winding-up, exclusive of the unpaid balance of the shareholders' subscriptions, and exclusive of the unassessed portion of the deposit notes of the policyholders on the mutual system, are insufficient to pay all the liabilities of the Company in full, a call shall be made upon the shareholders of the Company, not exceeding the unpaid balance of their subscriptions, and if the amount yielded by such call is insufficient to remove the deficiency, an assessment shall be made on the said policyholders in respect of their deposit notes to an amount not exceeding the unpaid balance of such notes.

Provision for meeting deficiency of assets if Company wound up.

19. No policy on the mutual system issued by the Company shall extend over a period greater than five years.

20. The directors may from time to time, out of the earnings of the Company, distribute equitably to the holders of participating policies on the cash plan issued by the Company such sums as in the judgment of the directors are proper and justifiable.

Distribution to policy holders.

21. (1) The Company may acquire the whole or any part of the rights and property, and may assume the obligations and liabilities of The Equitable General Insurance Company incorporated in May, 1901, pursuant to

Power to acquire rights, etc., of a certain Quebec insurance company.

section XVII of chapter 3 of title XI (articles 5264 *et seq.*) of the Revised Statutes of the Province of Quebec, 1888, with additional powers provided for by chapter 112 of the Statutes of the Province of Quebec, 1907, and chapter 138 of the Statutes of the Province of Quebec, 1939, the name of which was changed by Order-in-Council of the Province of Quebec number 44, dated January 29th, 1959, hereinafter called "the Provincial Company"; and in the event of such acquisition and assumption, the Company shall perform and discharge all such obligations or liabilities of the Provincial Company in respect of the rights and property acquired as are not performed and discharged by the Provincial Company.

Duties in
such event.

Approval of
Treasury
Board.

(2) No agreement between the Company and the Provincial Company providing for such acquisition and assumption shall become effective until it has been submitted to and approved by the Treasury Board of Canada.

Coming into
force.

22. This Act shall come into force on a date to be specified by the Superintendent of Insurance in a notice in the *Canada Gazette*; and such notice shall not be given until this Act has been approved by a resolution adopted by at least two-thirds of the votes of the members of the Provincial Company present or represented by proxy at a meeting duly called for that purpose, nor until the Superintendent of Insurance has been satisfied by such evidence as he may require that such approval has been given and that the Provincial Company has ceased to do business or will cease to do business forthwith upon a certificate of registry being issued to the Company.

R.S., c. 31;
1956, c. 28;
1957-58, c. 11;
1960-61, c. 13.

23. The *Canadian and British Insurance Companies Act* shall apply to the Company, except as herein provided by this Act.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1961

9 - 10 ELIZABETH II.

CHAP. 71

An Act to incorporate Aurora Pipe Line Company.

[Assented to 13th July, 1961.]

WHEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. Kenneth Harrison Burgis, executive, David Carlton Jones, professional engineer, and Leonard Boyd Bannicke, barrister-at-law, all of the city of Calgary, in the province of Alberta, together with such other persons as become shareholders in the company are incorporated under the name of Aurora Pipe Line Company, hereinafter called “the Company”.

Incorporation.

Corporate name.

2. (1) The persons named in section 1 of this Act shall be the first directors of the Company.

Provisional directors.

(2) All the directors of the Company shall at all times be Canadian citizens ordinarily resident in Canada.

3. (1) The capital stock of the Company shall consist of

- (a) seven hundred thousand common shares of the par value of ten dollars per share
- (b) sixty thousand preferred shares of the par value of fifty dollars per share.

Capital stock.

(2) The Company may by by-law

- (a) provide for the issue of the preferred shares in one or more series with such preferences, privileges or other special rights, restrictions, conditions or limitations attaching to each series whether with regard to dividends, capital or otherwise as in the by-law may be declared, and

- (b) subdivide or consolidate into shares of smaller or larger par value and reclassify into another or different series any unissued preferred shares and

amend, vary, alter or change any of the preferences, privileges, rights, restrictions, conditions or limitations which may have been attached to any unissued preferred shares:

Proviso.

Provided that no such by-law shall be valid or acted upon until it has been sanctioned by at least two-thirds of the votes cast at a special general meeting of the common shareholders of the Company duly called for considering the same and until a certified copy of such by-law has been filed with the Secretary of State.

(3) Except to the extent that such rights may be provided by any by-law enacted under subsection (2), the holders of preferred shares of any series shall not as such have the right to vote or to receive notice of or to attend any meeting of the common shareholders of the Company, but no change shall be made affecting the rights or privileges of the holders of issued and outstanding preferred shares of any series except by by-law duly enacted by the directors and sanctioned by the common shareholders in the manner set forth in subsection (2), nor shall such by-law have any force or effect unless or until it has been sanctioned by at least two-thirds of the votes cast at a special general meeting of the holders of the issued and outstanding preferred shares of such series duly called for considering the same, and a certified copy thereof has been filed with the Secretary of State.

(4) Ownership of preferred shares shall not qualify any person to be a director of the Company.

Head office
and other
offices.

4. (1) The head office of the Company shall be in the city of Calgary, in the province of Alberta, which head office shall be the domicile of the Company in Canada; and the Company may establish such other offices and agencies elsewhere within or without Canada as it deems expedient.

(2) The Company may, by by-law, change the place where the head office of the Company is to be situate.

(3) No by-law for the said purpose shall be valid or acted upon until it is sanctioned by at least two-thirds of the votes cast at a special general meeting of the shareholders duly called for considering the by-law and a copy of the by-law certified under the seal of the Company has been filed with the Secretary of State and published in the *Canada Gazette*.

Pipe lines
legislation
to apply.
1959, c. 46.

5. The Company shall have all the powers, privileges and immunities conferred by, and be subject to all the limitations, liabilities and provisions of the *National Energy Board Act*, and any other general legislation relating to pipe lines enacted by Parliament with respect to the transmission and transportation of gas and oil and other gaseous or liquid hydrocarbons.

6. The Company, subject to the provisions of any general legislation relating to pipe lines for the transmission and transportation of gas and oil and other gaseous or liquid hydrocarbons which is enacted by Parliament, may

Power to construct and operate pipe lines.

- (a) within Canada in the provinces of Manitoba, Saskatchewan, Alberta and British Columbia and in the Yukon and Northwest Territories and outside Canada construct, purchase, lease or otherwise acquire and hold, develop, operate, maintain, control, lease, mortgage, hypothecate, create liens or other security upon, sell, convey or otherwise dispose of and turn to account any and all extra-provincial and/or international pipe lines and all appurtenances relative thereto for gathering, transmitting, transporting, storing and delivering of any natural or artificial gas and oil or any products or by-products thereof or any of them; including pumping stations, terminals, storage tanks or reservoirs and all works relative thereto for use in connection with the said pipe lines; and buy or otherwise acquire, transmit, transport and sell or otherwise dispose of and distribute natural or artificial gas and oil and any products or by-products thereof; and own, lease, sell, operate and maintain aircraft and aerodromes for the purpose of its undertaking, together with the facilities required for the operation of such aircraft and aerodromes; and own, lease, operate and maintain interstation telephone, teletype and telegraph communication systems and, subject to the Radio Act and any other statute relating to radio, own, lease, operate and maintain interstation radio communication facilities;

R.S., c. 233.

- (b) purchase, hold, lease, sell, improve, exchange or otherwise deal in real property or any interest and rights therein legal or equitable or otherwise howsoever and deal with any portion of the lands and property so acquired, and may subdivide the same into building lots and generally lay the same out into lots, streets and building sites for residential purposes or otherwise and may construct streets thereon and necessary sewerage and drainage systems and build upon the same for residential purposes or otherwise and supply any buildings so erected, or other buildings erected upon such lands, with electric light, heat, gas, water and other requisites, and lease or sell the same, upon such terms and subject to such conditions as appear requisite, either to its employees or to others; and

Power to hold land.

Ancillary
powers.

- (c) exercise as ancillary and incidental to the purposes or objects set forth in this Act, the powers following, unless such powers or any of them are expressly excluded by this Act, namely, the powers set forth in paragraphs (a) to (bb) inclusive of subsection (1) of section 14 of the *Companies Act*.

R.S., c. 53.

Sections
of the
*Companies
Act* to apply.
R.S., c. 53.

7. The provisions of subsections (7), (8), (9) and (10) of section 12 and sections 39, 40, 59, 62, 63, 64, 65, 91 and 94 of Part I of the *Companies Act* apply to the Company: Provided that wherever in the said subsection (10) of section 12 the words "letters patent" or "supplementary letters patent" appear, the words "Special Act" shall be substituted therefor.

Sections
of the
*Companies
Act* not
to apply.

8. Sections 162, 167, 184, 190, 193 and 194 of Part III of the *Companies Act* shall not be incorporated with this Act.

Company
not to make
a loan to
shareholders
or directors.

9. (1) The Company shall not make any loan to any of its shareholders or directors or give, whether directly or indirectly, and whether by means of a loan, guarantee, the provision of security or otherwise, any financial assistance for the purpose of, or in connection with, a purchase made or to be made by any person of any shares in the Company: Provided that nothing in this section shall be taken to prohibit

Proviso.

- (a) the making by the Company of loans to persons, other than directors, bona fide in the employment of the Company, with a view to enabling or assisting those persons to purchase or erect dwelling houses for their own occupation; and the Company may take, from such employees, mortgages or other securities for the repayment of such loans;
- (b) the provision by the Company in accordance with any scheme for the time being in force, of money for the purchase by trustees of fully paid shares in the capital stock of the Company, to be held by, or for the benefit of, employees of the Company, including any director holding a salaried employment or office in the Company; or
- (c) the making by the Company of loans to persons, other than directors, bona fide in the employment of the Company, with a view to enabling those persons to purchase fully paid shares in the capital stock of the Company, to be held by themselves by way of beneficial ownership.

(2) The powers under paragraphs (b) and (c) of subsection 1 of this section shall be exercised by by-law only.

(3) If any loan is made by the Company in violation of the foregoing provisions, all directors and officers of the Company making the same or assenting thereto, shall, until repayment of said loan, be jointly and severally liable to the Company and to its creditors for the debts of the Company then existing or thereafter contracted: Provided that such liability shall be limited to the amount of said loan with interest.

Proviso.

10. The redemption or purchase for cancellation of any fully paid preferred shares created by this Act or by by-law pursuant to the provisions of this Act, in accordance with any right of redemption or purchase for cancellation reserved in favour of the Company in the provisions attaching to such preferred shares, or the redemption or purchase for cancellation of any fully paid shares of any class, not being common or ordinary shares, and in respect of which the by-laws provide for such right of redemption or purchase, in accordance with the provisions of such by-laws, shall not be deemed to be a reduction of the paid-up capital of the Company, if such redemption or purchase for cancellation is made out of the proceeds of an issue of shares made for the purpose of such redemption or purchase for cancellation, or if,

When redemption or purchase not a reduction of paid-up capital.

(a) no cumulative dividends on the preferred shares or shares of the class in respect of which such right of redemption or purchase exists and which are so redeemed or purchased for cancellation are in arrears; and

(b) if such redemption or purchase for cancellation of such fully paid shares is made without impairment of the Company's capital by payments out of the ascertained net profits of the Company which have been set aside by the directors for the purposes of such redemption or of such purchase for cancellation, and if such net profits are then available for such application as liquid assets of the Company, as shown by the last balance sheet of the Company, certified by the Company's auditors, and being made up to a date not more than ninety days prior to such redemption or purchase for cancellation, and after giving effect to such redemption or purchase for cancellation;

and subject as aforesaid, any such shares may be redeemed or purchased for cancellation by the Company on such terms and in such manner as are set forth in the provisions attaching to such shares, and the surplus resulting from such redemption or purchase for cancellation shall be des-

ignated as a capital surplus, which shall not be reduced or distributed by the Company except as provided by a subsequent Act of the Parliament of Canada.

Commission
on sub-
scription.

11. The Company may pay a commission to any person in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, for any shares, bonds, debentures, debenture stock or other securities of the Company, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any shares, bonds, debentures, debenture stock or other securities of the Company: Provided, however, that as regards shares, such commission shall not exceed ten per centum of the amount realized therefrom.

Proviso.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1961

9-10 ELIZABETH II.

CHAP. 72

An Act respecting Canadian Pacific Railway Company.

[Assented to 29th March, 1961.]

WHEREAS Canadian Pacific Railway Company has Preamble.
by its petition prayed that it be enacted as hereinafter
set forth, and it is expedient to grant the prayer of the
petition: Therefore Her Majesty, by and with the advice
and consent of the Senate and House of Commons of
Canada, enacts as follows:—

1. Canadian Pacific Railway Company, hereinafter Line of
railway
authorized.
called “the Company”, may construct a line of railway from
a point at mileage 34.6 of its Hoadley subdivision on its
line of railway, at or in the vicinity of Rimbey, in the
province of Alberta, thence in a generally northeasterly
direction for a distance of approximately eight and one-
half miles to a point in section 5, township 44, range 1,
west of the fifth meridian in the said province.

2. If the construction of the said line of railway is not Time for
completion.
commenced within a period of two years or is not completed
and put in operation within a period of five years after the
passing of this Act, the powers of construction hereby
conferred upon the Company shall cease and be null and
void as regards so much of the said line of railway as shall
then remain uncompleted.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1961

9 - 10 ELIZABETH II.

CHAP. 73

An Act respecting Canadian Pacific Railway Company.

[Assented to 1st June, 1961.]

WHEREAS Canadian Pacific Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. Canadian Pacific Railway Company, hereinafter called "the Company", may construct a line of railway commencing from a point in the northwest $\frac{1}{4}$ of section 25, township 4, range 29, west of the fourth meridian at or in the vicinity of mile 19.8 of its Brocket Southerly Branch in the province of Alberta, thence in a generally westerly direction for a distance of approximately 11 miles to a point in the north $\frac{1}{2}$ of section 17, township 4, range 30, west of the fourth meridian, in the said province. Line of railway authorized.

2. If the construction of the said line of railway is not commenced within a period of two years or is not completed and put in operation within a period of five years after the passing of this Act, the powers of construction hereby conferred upon the Company shall cease and be null and void as regards so much of the said line of railway as shall then remain uncompleted. Time for completion.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1961

9 - 10 ELIZABETH II.

CHAP. 74

An Act respecting The Cumberland Railway and Coal Company and the Sydney and Louisburg Railway Company.

[Assented to 29th September, 1961.]

WHEREAS The Cumberland Railway and Coal Company, a company incorporated by chapter 77 of the statutes of 1883, as amended by chapter 77 of the statutes of 1884, chapter 100 of the statutes of 1908 and chapter 57 of the statutes of 1928, and the Sydney and Louisburg Railway Company, a company incorporated by chapter 171 of the statutes of Nova Scotia, 1910, as amended by chapter 155 of the statutes of Nova Scotia, 1911, have presented a joint petition praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1883, c. 77;
1884, c. 77;
1908, c. 100;
1928, c. 57.

1. The name of The Cumberland Railway and Coal Company is hereby changed to The Cumberland Railway Company, hereinafter called "the Company", but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any way affect any suit or proceeding now pending, or judgment existing, either by or in favour of or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed, and any suit or legal proceeding that might have been commenced or continued by or against the Company by its former name may be commenced or continued by or against it by its new name.

Change of
name.

Existing
rights
saved.

2. Section 4 of chapter 77 of the statutes of 1883 is repealed and the following substituted therefor:

"4. The Company is hereby empowered and authorized:

- (a) to acquire, build, own, lease, equip, maintain and operate railways and their branch lines in the county of Cumberland and in the Island of Cape Breton, in the province of Nova Scotia, with the wharves, piers, rolling stock, machine shops, and other undertakings connected therewith;
- (b) to acquire, build, own, lease, maintain and operate telegraph and telephone lines in connection with the said railways and undertakings;
- (c) subject to the provisions of section 153 of the *Railway Act*, to lease, sub-lease, purchase or otherwise acquire or operate the real and personal property, good will, lands, privileges, contracts, rights and other assets or liabilities of any company or person, whether within the legislative authority of the Parliament of Canada or not, authorized to carry on a business within the objects or powers of the Company, or to amalgamate with any such company or person; and
- (d) subject to the provisions of section 153 of the *Railway Act*, to lease, mortgage, pledge, assign, sell, convey or otherwise dispose of the whole or any branch or part of the business or property of the Company to any company or person, whether within the legislative authority of the Parliament of Canada or not, authorized to carry on a business within the objects or powers of the Company, or to any government."

R.S., c. 234;
1955, cc. 41,
55, s. 2;
1958, c. 40;
1960, c. 35.

Works for
general
advantage
of
Canada.

3. The railways, works and undertakings of the Sydney and Louisburg Railway Company are declared to be works for the general advantage of Canada.

4. Subject to the provisions of section 153 of the *Railway Act*, the Company and any corporate successor thereof may at any time lease, sub-lease, purchase or otherwise acquire or operate the whole or any part of the real and personal property, good will, lands, privileges, contracts, rights and other assets or liabilities of the Sydney and Louisburg Railway Company and any corporate successor thereof, and the Sydney and Louisburg Railway Company and any corporate successor thereof may at any time lease, sub-lease, sell, convey or otherwise dispose of the whole or any part of its real and personal property, good will, lands, privileges, contracts, rights, and other assets or liabilities to the Company and any corporate successor thereof.

R.S., c. 234;
1955, cc. 41,
55, s. 2;
1958, c. 40;
1960, c. 35.

5. Nothing in this Act shall be construed so as to affect or render inoperative any of the provisions of the Acts of the Legislature of the province of Nova Scotia referred to in the preamble, and the Sydney and Louisburg Railway Company shall have and continue to have, exercise and enjoy all the rights, powers and privileges conferred, subject to all the limitations and restrictions imposed upon it, by the said Acts and by any other Acts of the said Legislature, heretofore and hereinafter enacted; and the Company shall have, exercise and enjoy such rights, powers and privileges, subject to such limitations and restrictions, with respect to any of the real and personal property, good will, lands, privileges, contracts, rights, and other assets or liabilities of the Sydney and Louisburg Railway Company leased, sub-leased, purchased or otherwise acquired or operated by it.

Application
of provincial
statutes.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1961

9 - 10 ELIZABETH II.

CHAP. 75

An Act respecting the Congregation of the Sisters
of the Holy Family of Bordeaux in Canada.

[Assented to 13th July, 1961.]

WHEREAS the Congregation of the Sisters of the Holy Family of Bordeaux in Canada, hereinafter called "the Corporation", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1959, c. 65.

1. Chapter 65 of the statutes of 1959 is amended by inserting immediately after section 5 the following as section 5A:

"5A. (1) The Corporation may, by resolution of the Board, establish boards, committees or other bodies of its members to hold, manage, deal with, dispose of or otherwise administer any of its property, funds, trusts, interests, institutions, houses, provinces or undertakings, and any religious or charitable projects, now or hereafter owned, founded or established by the Corporation, may define and prescribe the constitution, powers, duties, officers and quorum of any such board, committee or other body and may delegate to any of them such of its powers as it may deem expedient.

Establishment of boards and committees.

(2) Whenever it is deemed expedient to establish as a body corporate any board, committee or other body for any of the purposes of the Corporation, the Corporation may so declare in the resolution of the Board establishing such board, committee or other body, in accordance with the by-laws, rules and regulations of the Corporation in that behalf. Upon the filing of any such resolution, as hereinafter prescribed, the same shall be and become a body corporate with such name, head office, seal, membership,

Incorporation of boards and committees.

organization, powers, rights and duties, not contrary to law or inconsistent with this Act, as may be determined or defined from time to time by the Board, including the acquiring, holding, administering and disposing of all property, real or personal, which may be devised, bequeathed, granted or conveyed to any such board, committee or governing body for the purposes of the Corporation, and the borrowing of any money necessary in the opinion of such board, committee or body for the purposes thereof, and the mortgaging, hypothecating or pledging of so much of the real or personal property held by any such board, committee or body as may be necessary to secure any amount so borrowed. In each case, whenever any such board, committee or other body is to be established as a body corporate, or its name or head office is changed by resolution of the Board, the Board shall file a certified copy of such resolution, under the hand of the Provincial Mother and the Secretary, with the Secretary of State for Canada. A certificate under the official seal of the Corporation signed by its Secretary shall be sufficient evidence in all courts of the establishment as a body corporate of such board, committee or body, of any change in its name or head office, and of its constitution and powers.

Limitation.

(3) Nothing in this section shall authorize the establishment as a body corporate of any board, committee or other body having purely provincial objects."

ROGER DUHAMEL, F.R.S.C.
 QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
 OTTAWA, 1961

9 - 10 ELIZABETH II.

CHAP. 76

An Act to incorporate Ukrainian Evangelical Baptist Convention of Canada.

[Assented to 13th July, 1961.]

WHEREAS the persons hereinafter named have by Preamble.
their petition prayed that it be enacted as hereinafter
set forth, and it is expedient to grant the prayer of the
petition: Therefore Her Majesty, by and with the advice
and consent of the Senate and House of Commons of
Canada, enacts as follows:—

1. Zachar Rechun-Panko, clergyman, of the city of Incorporation.
Toronto, in the province of Ontario, Michael Podworniak,
linotype operator, Peter Kindrat, clergyman, and Dmytro
Marychuk, clergyman, all of the city of Winnipeg, in the
province of Manitoba, Luke Pidhorecky, butcher, of the
city of Windsor, in the province of Ontario, Alexander
Piatocha, clergyman, of the city of Edmonton, in the
province of Alberta, Jacob Krestinski, clergyman, of the
city of Vernon, in the province of British Columbia, John
Tkachuk, clergyman, of the city of Saskatoon, in the
province of Saskatchewan, and Stephen Skoworodko,
clergyman, of the village of Hyas, in the province of Sas-
katchewan, being members of an unincorporated association
known as Ukrainian Baptist Convention of Canada, here-
inafter called “the Association”, together with such other
persons as may become members of the corporation, are
hereby incorporated under the name of Ukrainian Evan-
gelical Baptist Convention of Canada, hereinafter called Corporate name.
“the Corporation”.

2. The persons named in section 1 shall be the first Directors.
directors of the Corporation.

3. The head office of the Corporation shall be in the Head office.
city of Winnipeg, in the province of Manitoba, or at such
other place within Canada as the Corporation may determine
by by-law from time to time.

Objects.

4. The objects of the Corporation shall be

- (a) to organize, establish, maintain and carry on churches, congregations, missions, places of worship, residences, parsonages, retreat houses and institutions, orphanages, houses of refuge for the aged, rest houses and institutions and agencies for promoting, teaching, propagating and disseminating the Ukrainian Evangelical Baptist faith and doctrine and for training persons for the said purposes;
- (b) to promote, organize, establish, maintain and carry on social service, welfare and guidance institutions and agencies;
- (c) to promote education, instruction and culture and to organize, establish, maintain and carry on schools, colleges, academies, seminaries, institutions of learning, recreational halls, centres and agencies, and industrial, technical and agricultural institutes and farms;
- (d) to care for the poor and to organize, establish, maintain and carry on charitable institutions, hospitals, clinics, dispensaries and cemeteries;
- (e) to organize, establish, maintain and carry on libraries and houses and agencies for printing, publishing and disseminating literature, newspapers, periodicals and works of education, religion, art and science; and
- (f) to promote generally the spiritual welfare of all the congregations and mission fields of the Corporation.

Power to
make
by-laws.**5.** The Corporation may from time to time make by-laws, not contrary to law, for

- (a) the administration, management and control of the property, business and other temporal affairs of the Corporation;
- (b) the appointment, functions, duties and remuneration of all officers, agents and servants of the Corporation;
- (c) the appointment of an executive committee or any special committees or boards from time to time created for the purposes of the Corporation, defining the powers of such committees and boards, the qualifications for membership therein and the terms upon which the members thereof shall hold office or may be removed from office;
- (d) the calling of regular or special meetings of the Corporation or of the executive and other committees or boards;
- (e) fixing the necessary quorum and the procedure to be followed at all meetings referred to in the preceding paragraph;

- (f) determining the qualifications of members of the Corporation;
- (g) defining and applying the principles, doctrines and religious standards of the Corporation; and
- (h) generally carrying out the objects and purposes of the Corporation.

6. Subject to and in accordance with the by-laws enacted by the Corporation under section 5, an executive committee consisting of such persons as the Corporation may from time to time elect or appoint thereto shall manage all the temporal affairs of the Corporation.

Executive committee.

7. The present officers of the Association, the members of its executive committee and of the other committees and boards appointed or elected under the constitution and by-laws of the Association prior to the enactment of this Act shall continue to hold office as if they had been appointed or elected pursuant to this Act until their successors in office have been so appointed or elected.

Officers and committees of Association continue to hold their offices.

8. The existing constitution, by-laws and rules of the Association, insofar as they are not contrary to law or to the provisions of this Act, shall be the constitution, by-laws and rules of the Corporation until amended or repealed at a general meeting of the Corporation.

Constitution, by-laws, etc., of Association continue until amended or repealed.

9. The first general meeting of the Corporation shall be held within one year from the time this Act comes into force, at such time and place as the present executive committee of the Association may determine.

First general meeting.

10. The Corporation created by this Act is vested with all the rights and assumes all the obligations of the Association.

Corporation vested with rights and assumes obligations.

11. The Corporation may do all such lawful acts and things as are incidental or may be conducive to the attainment of its objects.

Incidental powers.

12. The Corporation may exercise all its powers by and through the executive committee or through such boards or committees as may be elected or appointed from time to time by the Corporation for the management of its affairs.

Committees.

13. (1) The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real and personal, corporeal and incorporeal, and any or every estate or interest whatsoever, given, granted, devised or

Power to acquire and hold property.

bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for or in favour of the uses and purposes of the Corporation, or to, for or in favour of any religious, educational, eleemosynary or other institution established or intended to be established by, under the management of, or in connection with the uses or purposes of the Corporation.

(2) The Corporation may also hold such real property or estate therein as is bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered.

Investment
in and
disposal of
property.

14. Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Corporation, whether by way of investment for the uses and purposes of the Corporation or not; and may also, from time to time, invest all or any of its funds and moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property; and for the purpose of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments either wholly or in part.

Application
of mortmain
laws.

15. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a licence in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, insofar as such laws apply to the Corporation.

Transfer of
property
held in
trust.

16. Insofar as authorization by the Parliament of Canada is necessary, any person or corporation, in whose name any property, real or personal, is held, in trust or otherwise, for the uses and purposes of the Corporation, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Corporation.

Execution of
documents.

17. Any deed or other instrument relating to real estate vested in the Corporation or any interest in such real estate shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed

if there is affixed thereto the seal of the Corporation and there is thereon the signature of any officer of the Corporation duly authorized for such purpose.

18. The Corporation may make a gift of or lend any of its property, real or personal, for or to assist in the erection or maintenance of any building or buildings deemed necessary for any church, parsonage, seminary, college, school or hospital or any other religious, charitable, educational, congregational or social purpose upon such terms and conditions as it may deem expedient.

Disposition of property by gift or loan.

19. (1) The Corporation may, from time to time, for the purposes of the Corporation

Borrowing powers.

- (a) borrow money upon the credit of the Corporation;
- (b) limit or increase the amount to be borrowed;
- (c) make, draw, accept, endorse or become party to promissory notes and bills of exchange, and every such note or bill made, drawn, accepted or endorsed by the party thereto, authorized by the by-laws of the Corporation, and countersigned by the proper party thereto, authorized by the by-laws of the Corporation, shall be binding upon the Corporation and shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown; and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill;
- (d) mortgage, hypothecate or pledge any property of the Corporation, real or personal, to secure the repayment of any money borrowed for the purposes of the Corporation;
- (e) issue bonds, debentures or other securities of the Corporation; and
- (f) pledge or sell such bonds, debentures or other securities for such sums and at such prices as may be deemed expedient.

(2) Nothing in the preceding subsection shall be construed to authorize the Corporation to issue any note or bill payable to the bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance.

Limitation.

20. The Corporation may invest its funds, or any portion thereof, either directly in the name of the Corporation or indirectly in the name of trustees, in the purchase of such securities as it may deem advisable, and may lend its funds or any portion thereof on any such securities.

Investment of funds.

Jurisdiction. **21.** The Corporation may exercise its functions throughout Canada.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1961

9 - 10 ELIZABETH II.

CHAP. 77

An Act respecting The Canada Permanent Trust Company.

[Assented to 13th July, 1961.]

WHEREAS The Canada Permanent Trust Company, hereinafter called "the Company", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1913, c. 87;
1947, c. 87.

1. The Company may as hereinafter provided merge and amalgamate with The Toronto General Trusts Corporation, a body corporate incorporated under the laws of the province of Ontario, for the purpose of enabling them to continue thereafter as one corporate entity under the name of Canada Permanent Toronto General Trust Company, and, in French, Compagnie de Fiducie Canada Permanent Toronto General, hereinafter called "the Amalgamated Company".

Amalgama-
tion.

2. The directors of the Company may under the seal of the Company enter provisionally into an agreement, hereinafter called "the Agreement", setting out

Agreement.

- (a) the terms and conditions of the amalgamation;
- (b) the number of directors of the Amalgamated Company, which number may be equal to but shall not exceed the aggregate number of the directors of the amalgamating companies immediately prior to the amalgamation, provided that as vacancies occur between annual meetings of the Amalgamated Company by reason of disqualification, resignation or death, no such vacancy shall be filled and the maximum number of directors shall be reduced accordingly until the number remaining in office is no greater than the number permitted by the *Trust Companies Act*;

R.S., c. 272;
1952-53, c. 10;
1958, c. 42.

- (c) the names, callings and places of residence of the first directors and officers of the Amalgamated Company who shall hold office until the first annual meeting thereof;
- (d) that the capital stock of the Amalgamated Company shall be ten million dollars divided into five hundred thousand shares of twenty dollars each;
- (e) the manner and terms of issuing shares of the Amalgamated Company to the shareholders of the amalgamating companies;
- (f) that the head office of the Amalgamated Company shall be in the city of Toronto, in the province of Ontario; and
- (g) such other matters as the parties to the Agreement deem necessary to perfect the amalgamation and to provide for the subsequent management and working of the Amalgamated Company.

Submission of Agreement to shareholders.

3. (1) The Agreement shall be submitted to the shareholders of the Company at a meeting thereof duly called for the purpose.

Notice of meeting.

(2) Notice of the time and place of the meeting shall be sent by registered mail to every shareholder addressed to his last known address as recorded in the books of the Company, together with a copy of the Agreement, at least six weeks before the date of such meeting, and notice of such meeting shall be given once a week for six successive weeks prior to the date of the meeting, in a newspaper published in the city of Toronto, in the province of Ontario.

Notice to Superintendent of Insurance.

(3) A like notice, together with two copies of the Agreement, shall be delivered to the Superintendent of Insurance at least six weeks before the date of the meeting.

Approval of Agreement by shareholders.

(4) If at a meeting of the shareholders at which the Agreement is submitted in accordance with this section, the Agreement is approved by resolution passed by the affirmative vote of at least three-fourths of such shares as are represented in person or by proxy and such affirmative vote represents at least fifty per cent of the issued capital stock of the Company, that fact shall be certified upon the Agreement by the secretary of the Company under the seal of the Company.

Copy to be filed with Superintendent of Insurance.

(5) If the Agreement is approved as aforesaid at the meeting, two copies thereof, certified by the secretary as aforesaid, shall be filed with the Superintendent of Insurance, and the Agreement may thereafter be submitted to the Governor in Council for approval.

4. (1) The Agreement shall have no force or effect until it has been approved by the Governor in Council. Approval by Governor in Council.

(2) The Governor in Council shall not approve the Agreement unless

- (a) the Treasury Board on the report of the Superintendent of Insurance recommends that the Agreement be approved;
- (b) he is satisfied that the shareholders of the Company have approved the Agreement in accordance with section 3 hereof;
- (c) the application for approval is made within six months from the date upon which the Agreement was approved by the shareholders of the Company;
- (d) notice of the intention of the Company to apply to the Governor in Council for approval of the Agreement has been published at least once a week for a period of four consecutive weeks in the *Canada Gazette*; and
- (e) he is satisfied
 - (i) that the requirements of *The Loan and Trust Corporations Act*, chapter 222 of the Revised Statutes of Ontario, 1960, precedent to the submission of the Agreement by the Registrar to the Lieutenant Governor in Council of the province of Ontario for his assent, have been complied with;
 - (ii) that the Agreement has been submitted by the Registrar to the Lieutenant Governor in Council of the province of Ontario as required by the said Act; and
 - (iii) that the Lieutenant Governor in Council of the province of Ontario is prepared to give his assent to the Agreement pursuant to the said Act.

5. Upon approval of the Agreement by the Governor in Council and the subsequent assent to the Agreement by the Lieutenant Governor in Council of the province of Ontario Effect of Agreement

- (a) the Agreement shall have the force of law;
- (b) the Amalgamated Company shall be vested with all the property, rights and interests, and shall be subject to all the duties, liabilities and obligations of the amalgamating companies, and all of the shareholders of the amalgamating companies immediately before the amalgamation shall be shareholders of the Amalgamated Company;
- (c) the Company shall be merged and amalgamated with The Toronto General Trusts Corporation and they shall continue thereafter as one corporate entity; and

R.S., c. 272;
1952-53, c. 10;
1958, c. 42.

(d) the Amalgamated Company shall be deemed to be a trust company incorporated by special Act of the Parliament of Canada, and, subject to this Act and to the Agreement, shall have all the powers, privileges and immunities conferred by, and be subject to all the limitations, liabilities and provisions of, the *Trust Companies Act*.

Evidence of approval.

6. The approval of the Governor in Council of the Agreement shall be evidenced by an Order of the Governor in Council, and a copy of the Order purporting to have annexed thereto a true copy of the Agreement, certified by the Clerk or Assistant Clerk of the Privy Council for Canada, shall, in all courts and for all purposes, be *prima facie* evidence of the Agreement, of the due execution thereof, of its approval by the Governor in Council and of the regularity of all proceedings in connection therewith.

R.S., c. 170;
1952-53, c. 5;
1958, c. 35.
1899, c. 101;
1903, c. 94;
1913, c. 86.

7. Notwithstanding anything contained in the *Loan Companies Act*, Canada Permanent Mortgage Corporation may invest in the whole or any portion of the shares of the Amalgamated Company, and may exchange shares of the Company for shares of the Amalgamated Company.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1961

9 - 10 ELIZABETH II.

CHAP. 78

An Act to incorporate General Mortgage Service Corporation of Canada.

[Assented to 13th July, 1961.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Charles Patrick McTague, one of Her Majesty's Counsel, of the city of Toronto, John Leo Whitney, one of Her Majesty's Counsel, of the city of Waterloo, William Charles McTague, barrister-at-law, of the city of Toronto, Clifford Joseph Whitney, barrister-at-law, of the city of Waterloo, and Harold Francis Cumming, chartered accountant, of the city of Kitchener, all in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of General Mortgage Service Corporation of Canada, hereinafter called "the Corporation". Incorporation.
Corporate name.

2. The persons named in section 1 shall be the provisional directors of the Corporation. Provisional directors.

3. Not less than seventy-five per cent of the directors of the Corporation shall at all times be Canadian citizens ordinarily resident in Canada. Proportion of directors to be Canadian citizens.

4. (1) The capital stock of the Corporation shall be ten million dollars, which may be increased to fifteen million dollars, and shall be divided into shares of ten dollars each. Capital stock.

(2) At least sixty per cent of any offering of stock shall be reserved, for a period of fifteen days from the time of such offering, for purchase by corporate or natural persons ordinarily resident in Canada.

Amount to be
subscribed
before general
meeting.

5. The amount to be subscribed before the provisional directors may call a general meeting of the shareholders shall be two hundred thousand dollars.

Amount to be
subscribed
and paid
before com-
mencement
of business.

6. The Corporation shall not commence business until at least five hundred thousand dollars of its capital stock has been bona fide subscribed and at least two hundred thousand dollars paid thereon.

Head office.

7. The head office of the Corporation shall be in the city of Toronto, in the province of Ontario.

Power to
issue Series A
Mortgage
Bonds.

8. (1) The directors of the Corporation may, from time to time, issue Series A Mortgage Bonds in such manner and on such terms and bearing such rate of interest as the directors may by resolution determine.

Separate
account.

(2) All moneys received from the sale of Series A Mortgage Bonds shall be kept and invested and accounted for on separate account and in a separate fund, hereinafter referred to as "Mortgage Fund A", and shall be invested in mortgages or hypothecs guaranteed or insured under the *National Housing Act, 1938*, the *National Housing Act*, or the *National Housing Act, 1954*, as the case may be.

1938, c. 49;
R.S., c. 188;
1954, c. 23.

Purpose of
Mortgage
Fund A.

(3) Mortgage Fund A shall be available only for the protection of the holders of Series A Mortgage Bonds and shall not be liable for the payment of claims of any other creditors of the Corporation.

Deficiency
in Fund.

(4) If, at any time, the book value of the assets of Mortgage Fund A, after deducting an amount sufficient to make adequate provision for prospective losses, falls below the principal amount of Series A Mortgage Bonds outstanding together with the accrued interest thereon and all other liabilities of such Fund, there shall be transferred to such Fund from the general funds of the Corporation, in the form of cash, or of investments taken at their market value, such amount or amounts as may be necessary to remove the deficiency.

Application
of Fund.

(5) The directors may withdraw from Mortgage Fund A such amounts as may be required from time to time to repay the principal of Series A Mortgage Bonds in accordance with the terms thereof, to pay interest and other expenses relating to such bonds, to pay investment expenses arising from the investment of assets of the Fund, to pay an equitable share, as determined by the directors, of the general expenses of the Corporation and to repay transfers that may have been made from the general funds of the Corporation pursuant to subsection (4).

(6) The directors may, from time to time, set aside within Mortgage Fund A such portion of the earnings of the Fund as they may deem necessary or advisable as a reserve for the protection of the Fund against losses or other contingencies. Reserve.

(7) The net profits arising from the operation of Mortgage Fund A, after provision for reserves, may, once in each year, to such an extent and in such manner as the directors may determine, be transferred and credited to the general funds of the Corporation. Transfer of profit to general funds.

9. (1) The directors of the Corporation may, from time to time, issue Series B Mortgage Bonds in such manner and on such terms and bearing such rate of interest as the directors may by resolution determine. Power to issue Series B Mortgage Bonds.

(2) All moneys received from the sale of Series B Mortgage Bonds shall be kept and invested and accounted for on separate account and in a separate fund, hereinafter referred to as "Mortgage Fund B", and shall be invested in mortgages or hypothecs other than mortgages or hypothecs of the kind described in subsection (2) of section 8, or in real estate for the production of income. Separate account.

(3) The percentage limits specified in the *Loan Companies Act* in respect of investments in real estate for the production of income apply to the investments of Mortgage Fund B as if that Fund were the total funds of the Corporation. Limitation. R.S., c. 170; 1952-53, c. 5; 1958, c. 35.

(4) Mortgage Fund B shall be available only for the protection of the holders of Series B Mortgage Bonds and shall not be liable for the payment of claims of any other creditors of the Corporation. Purpose of Mortgage Fund B.

(5) If, at any time, the book value of the assets of Mortgage Fund B, after deducting an amount sufficient to make adequate provision for prospective losses, falls below the principal amount of Series B Mortgage Bonds outstanding together with the accrued interest thereon and all other liabilities of such Fund, there shall be transferred to such Fund from the general funds of the Corporation, in the form of cash, or of investments taken at their market value, such amount or amounts as may be necessary to remove the deficiency. Deficiency in Fund.

(6) The directors may withdraw from Mortgage Fund B such amounts as may be required from time to time to repay the principal of Series B Mortgage Bonds in accordance with the terms thereof, to pay interest and other expenses relating to such bonds, to pay investment expenses arising from the investment of assets of the Fund, to pay Application of Fund.

an equitable share, as determined by the directors, of the general expenses of the Corporation and to repay transfers that may have been made from the general funds of the Corporation pursuant to subsection (5).

Reserve. (7) The directors may, from time to time, set aside within Mortgage Fund B such portion of the earnings of the Fund as they may deem necessary or advisable as a reserve for the protection of the Fund against losses or other contingencies.

Transfer of profit to general funds. (8) The net profits arising from the operation of Mortgage Fund B, after provision for reserves, may, once in each year, to such an extent and in such manner as the directors may determine, be transferred and credited to the general funds of the Corporation.

General funds reserve. 10. The directors may, from time to time, set aside such portion of the earnings of the general funds of the Corporation as they may deem necessary or advisable as a reserve for the protection of the general funds against losses or other contingencies.

Cannot accept money on deposit. 11. The Corporation shall not accept money on deposit.

Commission on subscription. 12. The Corporation may pay a commission to any person in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any shares of the Corporation: Provided, however, that such commission shall not exceed seven and one half per cent of the amount realized therefrom.

Proviso.

Loan Companies Act to apply except where herein provided. 13. (1) Except as in this Act specifically provided, the Corporation has all the powers, privileges and immunities conferred by, and is subject to all the limitations, liabilities and provisions of, the *Loan Companies Act*.

Investment powers in Loan Companies Act to apply. R.S., c. 170; 1952-53, c. 5; 1958, c. 35. (2) Nothing in this Act shall be deemed to extend the investment powers of the Corporation, whether relating to Mortgage Fund A, Mortgage Fund B or the general funds of the Corporation, beyond those described in the *Loan Companies Act*.

"General funds" defined. (3) In this Act "the general funds of the Corporation" means all of the funds of the Corporation other than Mortgage Fund A, Mortgage Fund B or funds held by the Corporation otherwise than on its own behalf.

9 - 10 ELIZABETH II.

CHAP. 79

An Act respecting Guaranty Trust Company of Canada.

[Assented to 13th July, 1961.]

WHEREAS Guaranty Trust Company of Canada, hereinafter called "the Company", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1925, c. 65;
1947, c. 90;
1949
(1st Sess.),
c. 33.

1. Section 3 of chapter 65 of the statutes of 1925, as amended by chapter 90 of the statutes of 1947, and as further amended by chapter 33 of the statutes of 1949 (First Session), is repealed and the following substituted therefor:

Increase in
capital
stock.

"3. The capital stock of the Company shall be ten million dollars."

2. The Company may use, in the transaction of its business, either the name Guaranty Trust Company of Canada or the name Compagnie Guaranty Trust du Canada, in either of which names it may sue or be sued, and any transaction, contract or obligation heretofore or hereafter entered into or incurred by the Company in either of the said names shall be valid and binding on the Company.

Name in
French.

3. Nothing contained in section 2 of this Act shall in any way impair, alter or affect the rights or liabilities of the Company, except as therein expressly provided, nor in any way affect any suit or proceeding now pending or judgment existing, either by or in favour of or against the Company, which, notwithstanding the provisions of section 2 of this Act, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Existing
rights saved.

9-10 ELIZABETH II.

CHAP. 80

An Act respecting The Canadian Council of The Girl Guides Association.

[Assented to 13th July, 1961.]

WHEREAS The Canadian Council of The Girl Guides Association has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1917, c. 77;
1947, c. 89.

1. The name of The Canadian Council of The Girl Guides Association, hereinafter called “the Corporation”, is hereby changed to Girl Guides of Canada, and, in French, Guides du Canada. The Corporation may use either the English or French version of its name or both as and when it so elects. Such change in name shall not in any way impair, alter or affect the rights or liabilities of the Corporation, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Corporation, which, notwithstanding such change in the name of the Corporation, may be prosecuted, continued, completed and enforced as if this Act had not been passed, and any suit or legal proceeding that might have been commenced or continued by or against the Corporation by its former name may be commenced or continued by or against the Corporation by its new name.

Change of
name.

Existing
rights saved.

2. Section 8 of chapter 77 of the statutes of 1917, as amended by section 1 of chapter 89 of the statutes of 1947, is repealed and the following substituted therefor:

“**8.** The Corporation may receive, acquire, accept, and hold real or immovable property, by grant, gift, purchase, devise, legacy, lease or otherwise, for the purposes of the Corporation; and may sell, lease, dispose of, mortgage, invest, or otherwise deal therewith in such manner as it may from time to time deem advisable for such purposes.”

9 - 10 ELIZABETH II.

CHAP. 81

An Act to incorporate Canadian Federation of Music Teachers' Associations.

[Assented to 9th March, 1961.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Reginald Bedford, of the city of Hamilton, in the Incorporation.
province of Ontario, Elizabeth Wilson Black, of the town of Port Colborne, in the province of Ontario, Alf Carlson, of the city of Vancouver, in the province of British Columbia, Robert Pounder, of the city of Edmonton, in the province of Alberta, Gordon Hancock, of the city of Regina, in the province of Saskatchewan, Bjorg Violet Isfeld, of the city of Winnipeg, in the province of Manitoba, Janetta Warnock Mustard, of the city of Sudbury, in the province of Ontario, Edna Marie Hawkin, of the city of Montreal, in the province of Quebec, Sister Mary Helena (Wadden), of the town of Antigonish, in the province of Nova Scotia, Ernest Walter Ereeborn, of the city of Moncton, in the province of New Brunswick, being members of the executive committee of an unincorporated association known as Canadian Federation of Music Teachers' Associations, hereinafter called "the Association", together with such other persons as become members of the Association, are hereby incorporated under the name of Canadian Federation of Music Teachers' Associations, hereinafter called "the Federation". Corporate name.

- 2.** The objects of the Federation shall be Objects.
(a) to encourage and assist all movements designed to improve standards of musical education and the training of teachers of music, to encourage and assist in the organization of music teachers' associations in

the provinces of Canada and to stimulate the acquisition of all-round musicianship and wide general culture among those who intend to qualify as teachers;

- (b) to encourage and promote the knowledge and appreciation of music among music teachers and the general public and in the schools and universities of Canada, and to encourage a definite ethical standard of professional conduct among teachers of music;
- (c) to promote the extension of music credits in the schools and universities of Canada; and
- (d) to promote and maintain the status of professional music teachers in the community.

Membership.

3. The membership in the Federation shall comprise the members of the Association and all others who are from time to time admitted to membership under the provisions of the by-laws or rules of the Federation.

Executive committee.

4. (1) The affairs of the Federation shall be managed by an executive committee composed of:

- (a) three representatives, appointed or elected to represent each of the Provincial Music Teachers' Associations which are members of the Federation;
- (b) the immediate past president of the Federation, if there be one; and
- (c) an additional representative appointed or elected by the Provincial Music Teachers' Association of which the president is a member.

(2) The term of office of each member of the executive committee shall be two years. At the conclusion of his term of office, an executive committee member may be re-appointed or re-elected if otherwise qualified.

By-laws and regulations.

5. The Federation may enact, amend and repeal by-laws and regulations for any and all purposes of the Federation not inconsistent with the provisions of this Act; and, in particular, without limiting the generality of the foregoing, the Federation shall have power to define and regulate

- (a) the terms and conditions of membership in the Federation and the rights, duties and privileges of members including their voting rights;
- (b) the number, powers and duties of the officers of the Federation and the constitution, powers, duties, quorum, the term of office and method of election or appointment to the executive committee;
- (c) the time and place for holding general or special meetings of the Federation and the notice and other requirements thereof, provided that general meetings shall be held only once in every two years unless the Federation decides that they shall be held more frequently;

- (d) the time and place for holding regular and special meetings of the executive committee, the notice to be given thereof, the quorum required and the procedure to be followed at such meetings;
- (e) the amount of the fees, assessments and dues payable by the members;
- (f) the administration and management of the business and affairs of the Federation and the furthering of its objects and purposes; and
- (g) the manner of voting by proxy or otherwise at executive committee meetings and at general and special meetings of the Federation: Provided that no such provision concerning voting shall have any force or effect until ratified at the next ensuing meeting of the Federation.

6. In addition to the general powers accorded to it by law, the Federation shall have power, with the consent of seventy-five per centum of the members present at a general or special meeting of the Federation,

Additional powers.

- (a) to purchase, take on lease or in exchange, hire and otherwise acquire by gift, legacy, devise or otherwise and to own and hold any estate, property or rights, real or personal, movable or immovable, to any title or interest therein, and to sell, exchange, alienate, manage, develop, mortgage, hypothecate, lease or otherwise deal therewith as it may deem advisable for the purposes of the Federation;
- (b) to borrow money for the purposes of the Federation;
- (c) to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange and other negotiable instruments or transferable instruments;
- (d) to invest and deal with the moneys of the Federation not immediately required in such manner as may be determined from time to time; and
- (e) to do all such lawful acts and things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Federation.

7. The present officers of the Association, the members of the executive committee and of the other committees appointed under the constitution and by-laws of the Association existing prior to the enactment of this Act shall continue to hold office as if they had been appointed or elected pursuant to this Act until their successors in office have been so appointed or elected.

Officers and committees of existing Association continue to hold office.

Constitution,
by-laws, etc.,
of Association
to continue
until
amended
or repealed.

8. The existing constitution, by-laws and rules of the Association, insofar as they are not contrary to law or to the provisions of this Act, shall be the constitution, by-laws and rules of the Federation until amended or repealed at a general meeting of the Federation.

First general
meeting.

9. The first general meeting of the Federation shall be held within eighteen months from the time this Act comes into force at such time and place as the present executive committee of the Association may determine.

Federation
vested with
rights and
assumes
obligations of
Association.

10. The corporation created by this Act is vested with all the rights and assumes all the obligations of the Association.

Head office.

11. The head office of the Federation shall be in the city of Hamilton, in the province of Ontario, or at such other place as the Federation may determine by by-law from time to time.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1961

9 - 10 ELIZABETH II.

CHAP. 82

An Act respecting The Canadian General Council of The Boy Scouts Association.

[Assented to 9th March, 1961.]

WHEREAS The Canadian General Council of The Boy Scouts Association has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1914, c. 130;
1917, c. 73;
1959, c. 71.

1. The name of The Canadian General Council of The Boy Scouts Association, hereinafter called “the Corporation”, is hereby changed to Boy Scouts of Canada, and in French, Scouts du Canada. The Corporation may use either the English or French version of its name or both as and when it so elects. Such change in name shall not in any way impair, alter or affect the rights or liabilities of the Corporation, nor in any way affect any suit or proceeding now pending, or judgment existing, either by or in favour of or against the Corporation, which, notwithstanding such change in the name of the Corporation, may be prosecuted, continued, completed and enforced as if this Act had not been passed, and any suit or legal proceeding that might have been commenced or continued by or against the Corporation by its former name may be commenced or continued by or against the Corporation by its new name.

Change of
name.

Existing
rights
saved.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1961

9 - 10 ELIZABETH II.

CHAP. 83

An Act respecting The Canadian Legion.

[Assented to 13th July, 1961.]

WHEREAS The Canadian Legion has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1948, c. 84;
1951 (1st
Sess.),
c. 86; 1959,
c. 72.

1. The name of The Canadian Legion, hereinafter called “the Legion”, is changed to The Royal Canadian Legion, but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Legion, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Legion which, notwithstanding such change in the name of the Legion, may be prosecuted, continued, completed and enforced as if this Act had not been passed, and any suit or legal proceeding that might have been commenced or continued by or against the Legion by its former name may be commenced or continued by or against it by its new name.

Change of
name.

Existing
rights
saved.

2. Paragraph (r) of section 4 of chapter 84 of the statutes of 1948, as amended by chapter 72 of the statutes of 1959, is repealed and the following substituted therefor:

“(r) to establish, organize and regulate provincial, district and local bodies of women for the purpose of assisting the Legion in seeing to the maintenance and comfort of disabled, sick, aged and needy ex-service men and women and their dependents, and to co-operate with the Legion in the promotion and carrying out of all aims and objects of the Legion, such a group to be known as a ladies’ auxiliary of The Royal Canadian Legion;”

ROGER DUHAMEL, F.R.S.C.
QUEEN’S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1961

9 - 10 ELIZABETH II.

CHAP. 84

An Act to incorporate International Brain Research Organization.

[Assented to 29th March, 1961.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Herbert Henri Jasper, professor, Wilder Graves Penfield, surgeon, both of the city of Westmount, in the province of Quebec, and Frank Campbell MacIntosh, professor, of the town of Montreal West, in the province of Quebec, being members of an unincorporated association known as the International Brain Research Organization, hereinafter called “the unincorporated association”, and all other members of the unincorporated association, together with such other persons as may become members of the unincorporated association, are hereby incorporated under the name of International Brain Research Organization, and in French, Organisation Internationale de Recherche sur le Cerveau, hereinafter called “the Organization”. Incorporation.

- 2.** The objects of the Organization shall be Corporate names.
- Objects.
- (a) to develop, support, co-ordinate, promote and undertake throughout the world scientific research and education in all fields concerning the brain;
 - (b) to promote international collaboration and interchange of scientific information on brain research; and
 - (c) to provide for and to assist in the dissemination of information relating to brain research through any media whatsoever.

Head
office.

3. (1) The head office of the Organization shall be in the city of Montreal, in the province of Quebec, or at such other place in Canada as the Organization may determine by by-law from time to time.

(2) Notice in writing shall be given to the Secretary of State by the Organization of any change of location of the head office, and such notice shall be published forthwith in the *Canada Gazette*.

Central
Committee.

4. The affairs of the Organization shall be managed by a Central Committee which shall be composed of members elected or appointed as the Organization may prescribe by by-law from time to time and which shall have the powers set out in the by-laws of the Organization.

By-laws,
rules and
regulations.

5. The Organization may enact, amend and repeal by-laws, rules and regulations for any and all purposes of the Organization not inconsistent with the provisions of this Act; and in particular, without limiting the generality of the foregoing, shall have power to define and regulate

- (a) the terms, conditions and classes of membership in the Organization, the rights, duties and privileges of members, the qualifications, admission, suspension and expulsion of members, and the fees, subscriptions and dues to be paid by them;
- (b) the method of election or appointment to the Central Committee, the constitution, powers, duties, quorum and terms of office with respect to such Central Committee, and the number, powers, duties and terms of office with respect to the officers and committees of the Organization and of the local committees and branches thereof;
- (c) the time and place for holding meetings of the Central Committee, and other committees of the Organization, and the notice and other requirements therefor;
- (d) the method of balloting by members of the Organization and its committees, whether by mail or otherwise; and
- (e) the administration and management of the business and affairs of the Organization and the delegation of its powers, or any of them, to the Central Committee or to such other committees as it may from time to time appoint.

Additional
powers.

6. (1) In addition to the general powers accorded to it by law, the Organization shall have power

- (a) to acquire the whole or any part of the rights and properties held by, for or on behalf of the unincorporated association;

- (b) to purchase, take on lease or in exchange, hire and otherwise acquire by gift, legacy, devise or otherwise and to own and hold any estate, property or rights, real or personal, movable or immovable, or any title or interest therein, and to sell, exchange, alienate, manage, develop, mortgage, hypothecate, lease or otherwise deal therewith as it may deem advisable for the purposes of the Organization;
- (c) to borrow money for the purposes of the Organization;
- (d) to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange and other negotiable or transferable instruments;
- (e) to invest and deal with the moneys of the Organization not immediately required, as may be determined from time to time; and
- (f) to do all such lawful acts and things as are incidental or conducive to the attainment of the objects of the Organization, whether as principal, agent, contractor or otherwise, and either alone or in conjunction with others.

(2) Nothing in this section shall be deemed to authorize the Organization to issue any note payable to the bearer thereof, or any promissory note intended to be circulated as money or as the note of a bank, or to engage in the business of banking or insurance.

7. The present officers and members of the Central Committee and of the other committees of the unincorporated association shall, subject to the by-laws, rules or regulations of such association, continue to hold office as if they had been appointed or elected in accordance with the provisions of this Act and of the by-laws, rules or regulations made thereunder, until their successors in office have been so appointed or elected.

Continuance
in office
of present
officers and
members of
committees.

8. The present constitution, by-laws, rules and regulations of the unincorporated association insofar as they are not contrary to law or the provisions of this Act, shall be the constitution, by-laws, rules and regulations of the Organization until altered or repealed pursuant to this Act.

Constitution,
by-laws, etc.,
of unin-
corporated
association
to continue
until
amended or
repealed.

9. Subject to section 8, the first by-laws, rules and regulations of the Organization shall be enacted at a time and place and in such manner as may be determined by the Central Committee of the unincorporated association, and the said Central Committee may make regulations whereby the members of the Organization may ballot by mail in respect of the enactment of such by-laws, rules and regulations, and generally governing the procedure to be followed in connection with the enactment thereof.

First
by-laws

Functions
exercisable
throughout
Canada
and
elsewhere.

10. The Organization may exercise its functions throughout Canada or elsewhere, and meetings of the Organization, the Central Committee and any other committees of the Organization may be held at the head office of the Organization or elsewhere either within or without Canada.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1961

9 - 10 ELIZABETH II.

CHAP. 85

An Act respecting Queen's University at Kingston.

[Assented to 9th March, 1961.]

WHEREAS Queen's University at Kingston has by its Preamble,
petition prayed that it be enacted as hereinafter set 1882, c. 123;
forth, and it is expedient to grant the prayer of the petition: 1889, c. 103;
Therefore Her Majesty, by and with the advice and consent 1906, c. 152;
of the Senate and House of Commons of Canada, enacts 1912, c. 138;
as follows:— 1912, c. 139;
1914, c. 141;
1916, c. 62.

1. Section 11 of chapter 123 of the statutes of 1882 is repealed and the following substituted therefor:—

"11. There shall be a Vice-Chancellor of the University, appointed by the Board of Trustees, who may or may not be the Principal. In the absence of the Chancellor, the Vice-Chancellor shall take his place and discharge his duties."

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1961

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LOCAL AND PRIVATE ACTS

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